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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/211,873	06/03/94	VERDIJN	J 91A055

A1M1/0503

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SAMPLE D EXAMINER	
ART UNIT	PAPER NUMBER
1108	13

DATE MAILED: 05/03/96

Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS

#### ADVISORY ACTION

☐ THE PERIOD FOR RESPONSE:

- a) ☐ is extended to run \_\_\_\_\_ or continues to run \_\_\_\_\_ from the date of the final rejection
- b) ☐ expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

- ☒ Appellant's Brief is due in accordance with 37 CFR 1.192(a)
- ☒ Applicant's response to the final rejection, filed 3/22/96 has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

1. ☐ The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:
- ☐ There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
  - ☐ They raise new issues that would require further consideration and/or search. (See Note).
  - ☐ They raise the issue of new matter. (See Note).
  - ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
  - ☐ They present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

2. ☐ Newly proposed or amended claims \_\_\_\_\_ would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.

3. ☒ Upon the filing an appeal, the proposed amendment ☒ will be entered ☐ will not be entered and the status of the claims will be as follows:

Claims allowed: \_\_\_\_\_

Claims objected to: See Attachment

Claims rejected: \_\_\_\_\_

However;

- ☒ Applicant's response has overcome the following rejection(s): SEE THE ATTACHMENT

4. ☒ The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because SEE ATTACHMENT
5. ☐ The affidavit or exhibit will not be considered because applicant has not shown good and sufficient reasons why it was not earlier presented.

☐ The proposed drawing correction ☐ has ☐ has not been approved by the examiner.

☐ Other

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The amendment after final does not raise any new issues and will be entered. As a result of the amendment, the rejection of claims under 35 U.S.C. 112, first paragraph is hereby withdrawn. In addition, claims 20, 21 and 28 are now allowable. Therefore the status of the claims is as follows:

Claims 13 and 20-28 are allowable

Claims 1-3, 5-7, 10-12 and 14-18 are rejected as anticipated Calvert.

Claims 8 and 9 are rejected as obvious over Calvert et al.

Claims 1-3, 5, 6, 10-12 and 14-18 are rejected as anticipated by Argauer et al.

The remainder of applicants arguments are substantially the same as those made in response to the first Office action and addressed by the Examiner in the final rejection of the claims.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Sample whose telephone number is (703)308-3582. The examiner can normally be reached Monday through Thursday from 6:30 AM to 4:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Bell, can be reached at (703)308-3823. The fax phone number for this Group is (703)305-3599.

Any inquiry of the general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 308-0661.



DRS  
May 2, 1996



MARK L. BELL  
SUPERVISORY PATENT EXAMINER  
GROUP 1100